

GAHC010065952024



2026:GAU-AS:4583

THE GAUHATI HIGH COURT
(HIGH COURT OF ASSAM, NAGALAND, MIZORAM AND ARUNACHAL PRADESH)

Case No. I.A.(Civil)/2973/2024

PALASH DAS AND 2 ORS
S/O LATE BIRENDRA NATH DAS
R/O HOWLY TOWN
WARD NO. 3
MOUZA- GHILAZARI
P.S.-HOWLY
DIST- BARPETA
ASSAM

2: SHASHANKA DAS
S/O LATE BIRENDRA NATH DAS
R/O HOWLY TOWN
WARD NO. 3
MOUZA- GHILAZARI
P.S.-HOWLY
DIST- BARPETA
ASSAM

3: BULU DAS
S/O LATE BIRENDRA NATH DAS
R/O HOWLY TOWN
WARD NO. 3
MOUZA- GHILAZARI
P.S.-HOWLY
DIST- BARPETA
ASSAM
VERSUS

NIRADA NATH
W/O RUPAM NATH
R/O HOWLY TOWN
WARD NO. 3
MOUZA- GHILAZARI

P.S.-HOWLY
DIST- BARPETA
ASSAM

Advocate for : MR. SHEELADITYA
Advocate for : appearing for NIRADA NATH

Linked Case - RSA/204/2019

SRI BIRENDRA NATH DAS
S/O- LATE NARESWAR DAS
R/O- HOWLY TOWN
WARD NO. 3
MOUZA- GHILAMARI
P.S. HOWLY
DIST.- BARPETA
PIN-781316

VERSUS

NIRADA NATH
W/O- RUPAM NATH
R/O- HOWLY TOWN
WARD NO. 3
MOUZA- GHILAMARI
P.S. HOWLY
DIST.- BARPETA
PIN- 781316.

Advocate for : MR. SHEELADITYA
Advocate for : MR H GUPTA appearing for NIRADA NATH

**BEFORE
HONOURABLE MR. JUSTICE ROBIN PHUKAN**

ORDER

31.03.2026

Heard Mr. Sheeladitya, learned counsel for the applicants.

2. This application, under Order 22 Rule 4 of the Code of Civil Procedure, is preferred by the applicants for substitution of the legal heirs of the deceased appellant, who had suffered demise on 12.05.2023.

3. Mr. Sheeladitya, learned counsel for the applicants submits that the said appellant, namely, Mr. Birendra Nath Das; has left behind 3 (three) legal heirs, namely, Palash Das, Shashanka Das and Bulu Das; and they are required to be brought on record as the appellants, in RSA No. 204/2019, and under such circumstances, Mr. Sheeladitya has contended to allow this application.

4. Having heard the submission of Mr. Sheeladitya, learned counsel for the applicants and also, considering the facts and circumstances on record, this interlocutory application stands allowed.

5. The legal heirs of the defendant No. 1, namely, Palash Das, Shashanka Das and Bulu Das; be impleaded as appellants, in RSA No. 204/2019.

6. In view of the order passed today in I.A.(C) No. 2973/2024, Mr. Sheeladitya, learned counsel for the applicants shall file amended cause title in the RSA No. 204/2019, within a period of 1 (one) week from today.

7. In terms of the above, this interlocutory application stands disposed of.

JUDGE

Comparing Assistant